

FCC MAIL SECTION

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Before the  
Federal Communications Commission  
Washington, D.C. 20554

OCT 15 8 40 AM '04

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments  
FM Broadcast Stations.  
(Maplesville, Alabama))  
)  
)  
)  
)  
)MB Docket No. 03-5  
RM-10393

DIST 103-

**REPORT AND ORDER  
(Proceeding Terminated)****Adopted: October 13, 2004****Released: October 15, 2004**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rulemaking*<sup>1</sup> issued at the request of Alatron Corporation, Inc., ("petitioner") proposing the allotment of Channel 292A at Maplesville, Alabama, as the community's first local aural transmission service. Petitioner filed comments reiterating its intention to apply for the channel if it is allotted and build the station if its application is granted. In response to the *Notice*, Petitioner's comments also included a sworn statement that the facts alleged in its petition are true. The Maplesville chief of police also filed comments in support of the proposal. No other comments were filed.<sup>2</sup>

2. In support of its proposal, Petitioner notes that the station would provide the community of Maplesville with its first local aural transmission service and that the facilities would easily provide city grade service to the entire community from the specified site. In support of the community status of Maplesville, Petitioner states that Maplesville, 2000 U.S. Census population, 672 persons, was established in 1829 and incorporated as a town in 1916. It is located in fast growing Chilton County. Maplesville is governed by an elected mayor and town council. It has its own police and fire departments, and water and gas departments. Maplesville has its own post office and zip code, a K-12 school with over 500 students, a bank, apartments, churches, VFW, Lions Club, Masons and other civic clubs.

3. Freddie Mayfield, Maplesville Chief of Police, supports the new allotment at Maplesville because it will give the police department another source of informing the community about health and welfare issues such as severe weather, school closings, homeland security, and AMBER alert information.

<sup>1</sup> *Maplesville, Alabama*, 19 FCC Rcd 8470 (2004).

<sup>2</sup> In its original petition, Petitioner noted that its proposal was contingent on Station WBPT(FM), Birmingham, Alabama, being reclassified from Channel 295C to Channel 295C0 and an *Order to Show Cause* was issued to CXR, Inc., Station WBPT's licensee to initiate the reclassification process. On July 7, 2003, Station WBPT(FM) was reclassified to operate on Channel 295C0 (See File No. BLH-2003130AAH (license to cover File No. BPH-20020305AAD)), clearing the way for this proposal to go forward. The *Notice* rescinded the *Order to Show Cause* issued to CXR, Holdings, Inc.

4. We find that Maplesville is a community for allotment purposes and that an allotment at Maplesville as the first local aural transmission service will serve the public interest. An engineering analysis has determined that Channel 292A can be allotted at Maplesville at a site 11.6 kilometers (7.2 miles) south of the community at petitioner's proposed site.<sup>3</sup>

5. IT IS ORDERED That effective November 29, 2004, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the communities listed below, to read as follows:

<u>Community</u>	<u>Channel</u>
Maplesville, Alabama	292A

6. IT IS FURTHER ORDERED That the petition for rulemaking filed by Alatron Corporation, Inc., IS GRANTED.

7. For further information concerning this proceeding, contact Victoria M. McCauley (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau

<sup>3</sup> Coordinates for Channel 292A at Maplesville are 32-41-06 NL and 86-53-30 WL.